



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 124

Subject: Fish and Wildlife Service Land Acquisition Policy

Sec. 1 What is the purpose of this Order? This Order supersedes the Land Acquisition Policy, October 29, 1982, and amends 341 FW 1.3A of the Fish and Wildlife Service Manual.

Sec. 2 To whom does this Order apply? This Order applies to all Service employees who administer land acquisition programs and activities.

Sec. 3 Why does the Service acquire land? We acquire lands and waters consistent with legislation, other congressional guidelines, and Executive Orders for the conservation, management, and, where appropriate, restoration of ecosystems, fish, wildlife, plants, and related habitat, and to provide for compatible, wildlife oriented public use for educational and recreational purposes.

Sec. 4 What real estate interests does the Service acquire? We will acquire land and water interests including, but not limited to, fee title, easements, leases, and other interests. We encourage donations of desired lands or interests.

Sec. 5 How does the Service implement this policy? When there is a need for additional resource protection at any proposed or existing refuge, fish hatchery, or similar facility, you must develop a Land Protection Plan that conforms to Departmental and Service policies and applicable laws. The plan is simple and concise. Prepare the plan with appropriate public participation and include consideration of sociocultural impacts.

Sec. 6 What are the two major categories of acquisitions made by the Service?

a. Specifically authorized units. Units established legislatively, whereby acquisition is carried out in accordance with the purposes prescribed by Congress in the authorizing legislation.

b. Generally authorized units. Units that we establish under general authorities including the Migratory Bird Conservation Act, Migratory Bird Hunting and Conservation Stamp Act, Fish and Wildlife Act, Emergency Wetlands Resources Act, Refuge Recreation Act, and Endangered Species Act.

Sec. 7 Can I acquire land through litigation? It is our general practice to acquire lands from willing sellers. You may Initiate litigation only after receiving prior approval from the

Director and providing notice to the landowner. You may acquire land through litigation (also termed condemnation) to:

- a. Prevent uses that would cause irreparable damage to the resources for which the unit was established to protect.
- b. Determine the legal owner (clear title).
- c. Settle a price disagreement between the landowner and the Service.

Sec. 8 What is the effective date of this Order? This Order is effective immediately. It will remain in effect unless superseded, amended, or revoked. We will include the contents of this Order in 341 FW 1.



DIRECTOR

Date: May 31, 2000